

Message Text

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PAGE 01 STATE 006253
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 /017 R

DRAFTED BY L:DFVAGTS:CDJ
APPROVED BY L:MLEIGH
SCA:LWALENTYNOWICZ
JUSTICE:MSTEIN
EUR/CAN:JROUSE

-----120404Z 012476 /71

R 112328Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA

UNCLAS STATE 006253

E.O. 11652: N/A

TAGS: PFOR, CASC, CA

SUBJECT: PROPOSED PRISONER EXCHANGE TREATY

1. PLS PASS TO M. D. COPITHORNE, BUREAU OF LEGAL AFFAIRS,
EXTERNAL AFFAIRS, FOLLOWING MESSAGE.
2. AS AGREED FRIDAY, WE FURNISH TWO SUGGESTED CLAUSES
AS FOLLOWS:
3. TO REPLACE ARTICLE IV, SECTION 6: THE TRANSFER OF
AN OFFENDER TO THE UNITED STATES UNDER THE PROVISIONS
OF THIS TREATY SHALL NOT CREATE ANY ADDITIONAL DISABILITY
UNDER THE LAWS OF THE UNITED STATES OR ANY STATE THEREOF
BEYOND THOSE WHICH THE FACT OF HIS CONVICTION IN CANADA
MAY IN AND OF ITSELF ALREADY HAVE CREATED.
4. TO REPLACE OPTIONAL CLAUSE I: EACH PARTY SHALL
REGULATE BY LEGISLATION THE EXTENT TO WHICH IT WILL
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ENTERTAIN COLLATERAL ATTACKS UPON THE CONVICTIONS OR
SENTENCES HANDED DOWN BY IT IN THE CASES OF OFFENDERS
WHO HAVE BEEN TRANSFERRED. UPON BEING ADVISED BY THE
SENDING STATE OF ACTION AFFECTING THE SENTENCE, THE
RECEIVING STATE WILL TAKE THE APPROPRIATE ACTION IN

ACCORDANCE WITH SUCH ADVICE. THE RECEIVING STATE SHALL

HAVE NO JURISDICTION OVER ANY PROCEEDINGS, REGARDLESS
OF THEIR FORM, INTENDED TO CHALLENGE OR SET ASIDE CON-
VICTIONS OR SENTENCES HANDED DOWN IN THE SENDING STATE.

5. FINALLY, WE SUGGEST INSERTION IN ARTICLE III(9)
OF WORDS "OR REGULATION" AFTER "BY LEGISLATION."
ROBINSON

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, AMENDMENTS, NEGOTIATIONS, PRISONERS RELEASE, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE006253
Document Source: CORE
Document Unique ID: 00
Drafter: DFVAGTS:CDJ
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770011-0313
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770161/aaaacbqi.tel
Line Count: 69
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 97072fdb-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Date: 15-Sep-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3621929
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Subject: PROPOSED PRISONER EXCHANGE TREATY
TAGS: PFOR, CASC, CA, US, (COPITHORNE, M D)
To: OTTAWA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/97072fdb-c288-dd11-92da-001cc4696bcc
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